

Liberty, NY - Congressman Maurice Hinchey (D-NY) today submitted formal comments to the Delaware River basin Commission (DRBC) to reiterate his call for a suspension to the current rulemaking process with regard to hydraulic fracturing in the Delaware River Basin. Hinchey says the DRBCs current rules fail to consider the implications of a recent report that revealed 32 million gallons of diesel fuel was used in wells in 19 states despite industry claims to the contrary. In his comments submitted in writing, Hinchey urged the DRBC to go back to the drawing table, draft new rules and then initiate a new public comment period. The text of the comments follows.

February 22, 2011

Delaware River Basin Commission
PO Box 7360
West Trenton, NJ 08628
Attn: Commission Secretary

Dear Commission Members:

I appreciate the opportunity to submit these brief comments in response to the Commission's Draft Natural Gas Regulations for the Delaware River Basin. The potential development of many thousands of new natural gas drilling sites will have a profound impact throughout the Delaware River Basin, and it is critical that the Commission carefully consider all public comment and response to the draft regulations. Unfortunately, I do not believe that the draft regulations adequately address the risks posed by natural gas drilling, and I would urge the Commission to suspend the current rulemaking process due to a lack of scientific data as well as recent revelations concerning previously unreported hydraulic fracturing practices.

I have serious concerns about the impact that natural gas development projects will have on the water resources of the Basin. Over 15 million people, including New York City and Philadelphia residents, depend on the water resources of the Delaware River Basin. The Basin is home to several designated units of the National Park System and includes the special protection waters of the Upper Delaware. As such, the Commission needs to take every precaution necessary to make sure that the vitally important water and other natural resources are not harmed in any way. That's why I continue to believe that a cumulative impact study on water resources is required to provide the proper scientific data and framework needed to develop comprehensive and effective regulations. Unfortunately, no such study was conducted prior to the issuance of these draft regulations.

In addition, the House Energy and Commerce Committee recently released the result of its investigation into the composition of hydraulic fracturing fluids, finding that oil and gas service companies injected more than 32 million gallons of diesel fuel in wells in 19 states, despite an industry pledge not to do so. The Commission's draft regulations do not address the possible use of diesel fluid, which needs to be incorporated into any final regulations promulgated to cover hydraulic fracturing in the Basin.

While the scheduling of three public hearings is a positive step in ensuring that communities throughout the Basin have a full opportunity to comment publicly on this important topic, this limited number of public meetings needs to be expanded and the comment period extended by an additional 90 days based on the importance and complexity of this issue. I would therefore reiterate my earlier request to the Commission to urging it to consider additional public hearings in New York State and other areas that will be impacted by the final regulations for natural gas drilling so that those in Sullivan County who cannot be here today have an opportunity to comment publicly.

I appreciate your consideration of these and other public comments and hope that you will expand the opportunities for additional public meetings such as this.

Sincerely,

Maurice D. Hinchey